

PCT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 2414-101		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/CA2005/000534		International filing date (<i>day/month/year</i>) 07 April 2005 (07-04-2005)	Priority date (<i>day/month/year</i>) 12 April 2004 (12-04-2004)
International Patent Classification (IPC) or national classification and IPC IPC: B21D 51/18 (2006.01), B23K 11/04 (2006.01), B23K 37/04 (2006.01)			
Applicant VANDEBEEKEN, MARK			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>4</u> sheets, as follows:</p> <div style="margin-left: 80px;"> <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. 1 and the Supplemental Box. </div> <p style="margin-left: 40px;">b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____ , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input checked="" type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application 			
Date of submission of the demand 10 February 2006 (10-02-2006)		Date of completion of this report 17 August 2006 (17-08-2006)	
Name and mailing address of the IPEA/CA Canadian Intellectual Property Office Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9 Facsimile No.: 001(819)953-2476		Authorized officer Craig MacMillan (819) 934-3422	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/CA2005/000534

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of:

☐ international search (Rules 12.3(a) and 23.1(b))

☐ publication of the international application (Rule 12.4(a))

☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

☐ the international application as originally filed/furnished

☒ the description:

☒ pages 1-11

as originally filed/furnished

☐ pages*

received by this Authority on

☐ pages*

received by this Authority on

☒ the claims:

☐ pages

as originally filed/furnished

☐ pages*

as amended (together with any statement) under Article 19

☒ pages* 12-15

received by this Authority on

Feb. 10, 2006 (2006/02/10)

☐ pages*

received by this Authority on

☒ the drawings:

☒ pages 1/26-26/26

as originally filed/furnished

☐ pages*

received by this Authority on

☐ pages*

received by this Authority on

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing *(specify)*:

☐ any table(s) related to sequence listing *(specify)*:

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages

☐ the claims, Nos.

☐ the drawings, sheets/figs

☐ the sequence listing *(specify)*:

☐ any table(s) related to sequence listing *(specify)*:

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/CA2005/000534**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	<u>1-34</u>	YES
	Claims	<u>NONE</u>	NO
Inventive step (IS)	Claims	<u>1-34</u>	YES
	Claims	<u>NONE</u>	NO
Industrial applicability (IA)	Claims	<u>1-34</u>	YES
	Claims	<u>NONE</u>	NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: US 3,863,479 A (X.LIPP) - 04 FEBRUARY 1975 (1975-02-04)
D2: US 2,986,193 A (P.HOWELL) - 30 MAY 1961 (1961-05-30)
D3: US 4,074,847 A (M.MCFATTER) - 21 FEBRUARY 1978 (1978-02-21)

Novelty (N):

Claims 1-34 are novel and do comply with Article 33(2) of the PCT. The prior art, exemplified by D1, D2 and D3, does not explicitly teach the method or apparatus for manufacturing a circular tank or the product therefrom. The subject matter of the claims differs from the prior art by specifically reciting chair and "L" bends on the lower and upper edges of an elongated metal sheet, respectfully, where these bends cooperate to form a helical seam of a circular metal tank.

Inventive Step (IS):

Claims 1-34 do comply with Article 33(3) of the PCT. The subject matter of claims 1-34 is considered to involve an inventive step since the prior art does not fairly suggest to employ chair and "L" bends on the lower and upper edges of an elongated metal sheet, respectfully, where these bends cooperate to form a helical seam of a circular metal tank. The bends cooperate with each other and provide many specific advantages over the prior art including structural rigidity, improved weldability and increased tank size without the use of internal vertical stiffening.

Industrial Applicability (IA):

The subject matter of claims 1-34 is considered to be industrially applicable and thus complies with the requirements Article 33(4) of the PCT.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. Drawing pages containing figures 1a through 14b do not comply with PCT Rules 11.2(a) and 11.13(a). The drawings are unsuitable for reproduction due to the use of unnecessarily light lines.
2. The drawings do not comply with PCT Rule 11.7(a). The pages containing the drawings shall be numbered.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. The description does not comply with PCT Article 5. A statement in an application, such as found on page 1, which includes a reference to any provisional application, should be removed. The PCT does not provide for any Reference to provisional applications.
2. The description does not comply with PCT Article 6. A statement in an application, such as found on page 11, which implies that the extent of protection may be expanded in some vague and not precisely defined way, is not permitted.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: